

2005 DRAFTING REQUEST

Bill

Received: **01/05/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **mike**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Payment of litigation expenses for EMTs, firefighters and law enforcement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 01/05/2005	wjackson 01/06/2005		_____ _____			S&L
/1			pgreensl 01/06/2005	_____ _____	lnorthro 01/06/2005	lnorthro 01/11/2005	

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: **01/05/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **mike**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Payment of litigation expenses for EMTs, firefighters and law enforcement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 01/05/2005	wjackson 01/06/2005		_____			S&L
/1			pgreensl 01/06/2005	_____	lnorthro 01/06/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: **01/05/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **mike**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Payment of litigation expenses for EMTs, firefighters and law enforcement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	mlief	11 WJ 1/5	1/6 p8	1/6 p8 R			

FE Sent For:

<END>

Lief, Madelon

From: Richards, Mike
Sent: Tuesday, December 28, 2004 9:40 AM
To: Lief, Madelon
Subject: Drafting Request

Madelon,

I am wondering if we could get 2003 SB 119 redrafted? Senator Kanavas wants to include in this draft the Assembly Amendment that was added last year.

Thanks.

MICHAEL D. RICHARDS
Office of State Senator Ted Kanavas
33rd Senate District
(608) 266-9174
Mike.Richards@legis.state.wi.us

a2502
1933

2003 SENATE BILL 119

D-NOTE

April 16, 2003 - Introduced by Senators KANAVAS, WELCH, ROESSLER, KEDZIE, LAZICH and HARSDORF, cosponsored by Representatives M. LEHMAN, HAHN, LADWIG, KREIBICH, MUSSER, AINSWORTH, HINES, TOWNSEND, MCCORMICK, BIES, MILLER and KAUFERT. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

Regen

- 1 AN ACT *to renumber* 895.35; and *to create* 895.35 (2) of the statutes; relating
 2 to: payment of litigation expenses of emergency medical services personnel, fire
 3 fighters, ^{first responders} and law enforcement or correctional officers.

Analysis by the Legislative Reference Bureau

Current law requires a municipality (a city, town, village, school district, technical college district, or county) to pay the judgment and costs of a municipal officer or employee who is sued in his or her official capacity or for actions taken in the scope of his or her employment. Current law also permits a municipality to pay the reasonable litigation expenses of a municipal officer against whom criminal charges or a civil lawsuit not involving the recovery of damages is brought.

This bill requires the municipality to pay these litigation expenses for an emergency medical services technician, first responder, fire fighter, or law enforcement or correctional officer unless ~~the person resigns before the expenses are incurred or his or her employment is terminated for cause.~~

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 895.35 of the statutes is renumbered 895.35 (1).

(in relation to the lawsuits the person for whom the litigation expenses are incurred is convicted of a crime; the person's employment is terminated for cause; the person resigns before the expenses are incurred; the person is demoted; or the person is suspended without pay for at least ten working days)

SENATE BILL 119

SECTION 2

1 **SECTION 2.** 895.35 (2) of the statutes is created to read:

2 895.35 (2) Notwithstanding sub. (1), the city, town, village, school district,
3 technical college district, or county shall pay all reasonable expenses under sub. (1)
4 for an emergency medical services technician, ^{or first responder} under s. 146.50 (1) (e) ~~or~~ ^{to} (hm), a fire
5 fighter, or a law enforcement or correctional officer, unless ~~the person resigns before~~
6 ~~the expenses are incurred or the person's employment is terminated for cause.~~

7 **SECTION 3. Initial applicability.**

8 (1) This act first applies to expenses incurred on the effective date of this
9 subsection.

10 (END)

in relation to the charges or action resulting in
expenses under sub (1), any of the following
applies:

4 [INSERT A]

**ASSEMBLY AMENDMENT 1,
TO 2003 SENATE BILL 119**

March 4, 2004 - Offered by Representative GOTTLIEB.

At the locations indicated, amend the bill as follows:

1. Page 2, line 5: delete the material beginning with "the" and ending with "cause." on line 6 and substitute ", in relation to the charges or action resulting in expenses under sub. (1), any of the following applies:".

~~**2.** Page 2, line 7: before that line insert.~~

INS A

(a) The person is convicted of a crime. ✓

(b) The person's employment is terminated for cause. ✓

(c) The person resigns for reasons other than retirement before the expenses are incurred. ✓

(d) The person is demoted or reduced in rank. ✓

(e) The person is suspended without pay for 10 or more working days. ✓

~~(END)~~

D-N

1502-1/dn

Senator Kanavas[^]₃

4 Please note that this redraft includes first
responders in ~~the~~ created 50895035(2)[✓] to make the
statutory text correspond to the analysis and to
what I understand the ~~intent~~ coverage of the
bill to be @

MJL

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1502/1dn
MJL:wlj:pg

January 6, 2005

Senator Kanavas:

Please note that this redraft includes first responders in created s. 895.35 (2) to make the statutory text correspond to the analysis and to what I understand the coverage of the bill to be.

Madelon J. Lief
Senior Legislative Attorney
Phone: (608) 267-7380

Northrop, Lori

From: Richards, Mike
Sent: Tuesday, January 11, 2005 11:00 AM
To: LRB.Legal
Subject: Draft review: LRB 05-1502/1 Topic: Payment of litigation expenses for EMTs, firefighters and law enforcement

It has been requested by <Richards, Mike> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-1502/1 Topic: Payment of litigation expenses for EMTs, firefighters and law enforcement